

DECISION



Saiger - Stein
PL-CC
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

9144

FILE: B-191937

DATE: February 13, 1979

MATTER OF: Armor Elevator Company ← *CNF 1164*

DIGEST:

[Protest is Untimely When]

Where protest is filed with GAO more than 10 working days after basis for protest is known, protest is untimely filed under GAO Bid Protest Procedures and not for consideration on the merits.

CNF 1164

Armor Elevator Company (Armor) protests the award of a contract for elevator repair services to Freedom Elevator Corporation (Freedom) under invitation for bids (IFB) No. 2PBO-DW-19,134, issued by the General Services Administration (GSA). Armor contends that Freedom should have been regarded as a nonresponsible bidder because it did not meet a minimum time in service provision of the IFB and did not have certain parts in inventory. *880*

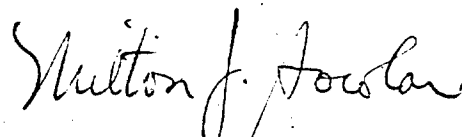
The protester states that it learned these facts during a review of the GSA file on December 1, 1978. Armor's protest letter to this Office was filed on December 27, 1978.

The protest is untimely. Our Bid Protest Procedures require that a protest be filed, either with the contracting agency or with this Office, not later than 10 working days after the basis for protest is known. 4 C.F.R. § 20.2 (1978). Since Armor learned of its grounds for protest on December 1, 1978, its December 27, 1978 protest, obviously, was not filed within the required time period. Therefore, the protest is untimely filed and not for consideration on the merits. See Data Precision Corporation, B-185209, November 17, 1975, 75-2 CPD 318; Baytron Systems Corporation, B-192329, July 24, 1978, 78-2 CPD 67.

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The protest is dismissed.

A handwritten signature in cursive script, reading "Milton J. Socolar". The signature is written in dark ink and is positioned above the printed name and title.

Milton J. Socolar
General Counsel